**IN THE HIGH COURT OF UTTARAKHAND**
**AT NANITAL**

**Writ Petition No. 1061 (S/S) of 2007**

Smt. Chitra, aged about 27 years, W/o Sri Rajeev Kumar
R/o Village Aaspur, P.O. Dharampur, Tehsil Jaspur,
District Udham Singh Nagar ------Petitioners

Versus

1. State of Uttarakhand through its Secretary, (Basic Education) Dehradun, District Dehradun
2. Director of Education (Basic) Uttarakhand Dehradun, District Dehradun
3. Additional Director, State Education Anusandhan and Training Board, Uttarakhand Narendra Nagar, District Tehri Garhwal
4. Principal, District Education and Training Institute Rudrapur, District Udham Singh Nagar ------Respondents

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Rakesh Thapliyal, learned counsel for the petitioners and Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. Issue a writ, order or direction in the nature of mandamus directing to the respondents to consider the candidature of the petitioner for special B.T.C. Training Course after taking into consideration that her provisional mark sheet pertaining to B.Ed. Training Course was issued prior to the date of issuance of the advertisement and her application may not be rejected merely on the ground that her main mark sheets contains the date which is subsequent to the data of issuance of the advertisement.

2. Issue any suitable writ, order or direction, which this Hon'ble Court may deem fit and proper on the basis of the facts and circumstances of the case.
3. Award the cost of the petition to the petitioner.

The case of the petitioner is that prior to publication of advertisement for inviting applications for Special B.T.C. Training Course, their result of B.Ed. for the academic session 2004-05 was declared and the petitioner had passed the B.Ed examination from Chaudhary Charan Singh University as a regular student. The petitioner has been issued provisional mark-sheet on 12.05.2006. Because the mark-sheet was issued under the order of the High Court subject to the decision of the writ petition, later on, original mark-sheet was also issued to the petitioner on 24.07.2006, which is the date after the publication of the advertisement and, consequently, the mark-sheet submitted by the petitioner has not been considered by the respondents on the ground that original mark-sheet was issued to the petitioner after publication of the advertisement.

Learned counsel for the petitioners has submitted that in fact, the petitioner has already passed the B.Ed. examination much prior to the advertisement.

In these circumstances, I deem it fit and proper to direct the petitioner to make representation raising all her grievances before respondent no. 1, Secretary Education, Dehradun and Secretary Education, Dehradun is directed to pass appropriate order on the representation of the petitioner within a period of one week from the date of production of a certified copy of this order along with the representation, if any. It is also expected from the State

Government to make a uniform Policy in this matter and then pass necessary directions to the Officers concerned.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

**(M.M. Ghildiyal, J.)**

**10.08.2007**
**VKS**